

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CIRON B. SPRINGFIELD,

Plaintiff,

v.

CDCR et al.,

Defendants.

No. 2:22-cv-00444-DAD-DMC (PC)

ORDER ADOPTING IN PART FINDINGS
AND RECOMMENDATIONS IN PART AND
DENYING PLAINTIFF'S MOTION TO
PROCEED *IN FORMA PAUPERIS*

(Doc. Nos. 5, 7)

Plaintiff Ciron B. Springfield is a state prisoner proceeding with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 15, 2022, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's motion to proceed *in forma pauperis* be denied because plaintiff has not made the required showing of indigency. (Doc. No. 7 at 1.) These findings and recommendations were served upon all parties and contained notice that any objections were to be filed within fourteen (14) days from the date of service of that order. (*Id.* at 2.) No objections have been filed to this date, and the time to do so has since passed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the magistrate judge's findings and recommendations are supported by the record and proper

1 analysis. However, the undersigned will grant plaintiff the opportunity to pay the required filing
2 fees within twenty-one (21) days of service of this order. Plaintiff is warned that failure to pay
3 the required filing fee will result in dismissal of this action.

4 Accordingly,

- 5 1. The findings and recommendations issued on June 15, 2022 (Doc. No. 7) are
6 adopted in part and denied in part;
- 7 2. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 5) is denied;
- 8 3. Within twenty-one (21) days from the date of service of this order, plaintiff shall
9 pay the required filing fee of \$402.00 in full to proceed with this action; and
- 10 4. The plaintiff is warned that failure to pay the \$402 filing fee in full within 21 days
11 of this order will result in the termination of all pending motions and dismissal
12 without prejudice of this action.

13 IT IS SO ORDERED.

14 Dated: September 5, 2022

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16 UNITED STATES DISTRICT JUDGE